

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

CHARLES NANCE, #71944

PETITIONER

VERSUS

CIVIL ACTION NO. 4:07cv149-DPJ-JCS

STATE OF MISSISSIPPI

RESPONDENT

ORDER TRANSFERRING CAUSE TO UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

Petitioner submitted to this Court a petition for habeas corpus relief pursuant to 28 U.S.C. § 2254 and an application to proceed in forma pauperis. Petitioner indicates that he is currently serving a state sentence for possession of cocaine rendered by the Oktibbeha County Circuit Court, located in the Northern District of Mississippi. Petitioner is currently confined in the Quitman County C.W.C., Lambert, Mississippi.

Title 28 United States Code Section 2241(d) states that when a person files an application for a writ of habeas corpus and is in custody under the judgment and sentence of a State court with two or more Federal Judicial Districts, the application may be filed in the district court for the district where the person is in custody or in the district court for the district within which the State court was held which convicted and sentenced the person and each district shall have concurrent jurisdiction. Further, the district court in which the application is filed in the exercise of its discretion and in furtherance of justice may transfer the application to the other district court for hearing and determination. Since petitioner is serving a state sentence entered by Oktibbeha County Circuit Court and he is incarcerated at the Quitman County C.W.C., which are located in the Northern District of Mississippi, this case will be transferred to the Northern District of Mississippi. It is hereby,

ORDERED that this application and petition for habeas relief be transferred to the United States District Court for the Northern District of Mississippi and that the application shall be received in accordance with the orders and local rules of that court and any applicable statute or law.

**SO ORDERED AND ADJUDGED** this the 29<sup>th</sup> day of November, 2007.

*s/ Daniel P. Jordan III*  
UNITED STATES DISTRICT JUDGE